

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

INTERCARRIER COMMUNICATIONS  
LLC,

Plaintiff,

v.

INTEROP TECHNOLOGIES, LLC,

Defendant.

Case No. 3:12-cv-00769-JAG

Judge: Hon. John A. Gibney, Jr.

**PARTIES' JOINT STATEMENT REGARDING INTEROP  
TECHNOLOGIES, LLC'S MOTION TO DISMISS, AND REGARDING  
TRANSFER OF THE CASE TO THE SOUTHERN DISTRICT OF FLORIDA**

Plaintiff Intercarrier Communications LLC ("ICC" or "Plaintiff") and Defendant Interop Technologies, LLC ("Interop" or "Defendant") hereby submit this Joint Statement to (1) dismiss this case without prejudice and (2) transfer this case to the United States District Court for the Southern District of Florida. In support, the Parties state as follows:

1. On January 18, 2013, Defendant filed a Motion to Dismiss for Lack of Personal Jurisdiction, Improper Venue, and insufficient/improper service in this case.

(D.I. 15)

2. In its Memorandum of Law in Support of its Motion to Dismiss, Defendant stated that venue is improper in the Eastern District of Virginia, but is proper in the Southern District of Florida. (D.I. 16 at 8)

3. On February 1, 2013, Defendant filed a separate action on the same issues of the case at bar in the United States District Court for the Southern District Court of Florida, naming ICC, Acacia Research Corporation (“Acacia”) and Telecommunication Systems, Inc. (“TCS”) as Co-Defendants and seeking Declaratory Judgment of invalidity of U.S. Patent No. 6,985,748 (“the ‘748 Patent”) and non-infringement of the ‘748 Patent. *Interop Technologies, LLC v. Acacia Research Corporation et al.*, 1:13-cv-20381-JAL (S.D. Fl.)

4. On February 28, 2013, the Court ordered limited jurisdictional discovery on the Defendant’s business contacts with the Commonwealth of Virginia. (D.I. 22)

5. In accordance with the Court’s order, ICC conducted limited discovery on Defendant including a Rule 30(b)(6) deposition on April 9, 2013.

6. In light of the jurisdictional discovery, Counsel for the Parties have conferred and the Parties agree, and hereby jointly request, that this case be dismissed without prejudice and transferred to the United States District Court for the Southern District of Florida and joined with Defendant’s action in Florida.

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certify that counsel for the Parties have met and conferred and agree to the relief sought in this Motion. ICC does not oppose the matter being dismissed without prejudice and transferred to the Southern District of Florida and joined with Civil Action 1:13-cv-20381-JAL (S.D. Fl.).

Dated: April 18, 2013

By:

/s/

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*Counsel For Defendant Interop Technologies,  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 18th day of April, 2013, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel of record:

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